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Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-fifth year

Identical letters dated 16 March 2010 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

I regret to inform you that tensions continue to escalate in the Occupied Palestinian Territory, including East Jerusalem, as a result of ongoing illegal actions, measures and provocations by Israel, the occupying Power. Recent aggressive actions and inflammatory declarations by Israel, particularly with regard to Occupied East Jerusalem, have caused widespread unrest and reveal an unmistakable, deliberate intent by the occupying Power to further destabilize the situation on the ground, to foment a cycle of violence to distract the international community from its illegal policies, particularly its colonization practices and its ongoing blockade of the Gaza Strip, and to undermine the efforts being exerted to revive the peace process, particularly those being exerted by the United States of America.

Despite the vocal condemnations from around the international community, including by the Quartet, of the recent decision to construct another 1,600 settlement units in the illegal settlement of "Ramat Shlomo" in Occupied East Jerusalem, Israel remains flagrantly intransigent and has yet to respond to the appeals and demands to rescind the decision to pursue this unlawful colonization scheme. This decision is yet another appalling illustration of Israeli actions that are absolutely contradictory to — and actually appear intended to destroy — the objective of achieving the two-State solution for peace on the basis of the pre-1967 borders. Israel's continuing refusal to abandon such illegal, destructive and aggressive policies once again calls into serious question Israel's credibility as a peace partner and the genuineness of its commitment to the two-State solution.

Moreover, such behaviour sends yet another clear signal about Israel's total disregard for international law, its disdain for the international community, including the Quartet, and its unwillingness to make peace, to the detriment of both the Palestinian and Israeli peoples, the region and the international community,

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whose peace and stability is severely undermined by the continuation of this illegitimate occupation and this prolonged conflict. Reflective of this destructive and defiant attitude was yet another inflammatory remark by Prime Minister Netanyahu, who stated this week, "*The building in Jerusalem and in all other places will continue in the same way that has been accepted in the last 42 years*".

In addition, the occupying Power has imposed a closure over the entirety of the West Bank, completely restricting the movement of the Palestinian civilian population. This includes the closure of Occupied East Jerusalem and restrictions on access to the Old City and particularly to Al-Haram Al-Sharif compound even for the Palestinian residents of the City. In this regard, it has been reported that extra measures were being imposed by the occupying Power in East Jerusalem in the light of the plans to reopen this week a synagogue recently rebuilt in the Old City.

Moreover, in addition to the blanket closure of the West Bank, the occupying Power has declared the villages of Bil'in and Ni'lin as so-called "closed military zones" and has declared that they will remain closed zones for a period of six months. As we have repeatedly informed, Bil'in and Ni'lin have been the sites of weekly non-violent demonstrations against Israel's construction of the Wall and other illegal occupation policies, including the continuous confiscation of Palestinian land. This latest measure comes as part of series of measures taken by the occupying Power against the Palestinian civilians in these villages, which have included mass arrests, including of peace activists, night raids and other restrictions of movement. Such actions are clearly aimed at preventing and crushing any attempts at peaceful, non-violent demonstration against the occupation.

All of these provocations and the continuation of Israel's illegal policies and practices, particularly its unlawful settlement activities, have sparked unrest that has impacted all areas of the Occupied Palestinian Territory. Rising tensions and frustrations have led to increased protests by Palestinian civilians, which the Israeli occupying forces have confronted with typical excessive force, including use of tear gas, stun grenades and rubber bullets. This has included the use of force against Palestinian women and youths recently protesting against settlement plans in the West Bank, against demonstrators at numerous checkpoints, and the detention and arrest of dozens of Palestinian civilians.

In this regard, it is imperative to once again reiterate that Israeli settlement activities in the Occupied Palestinian Territory, including East Jerusalem, including, but not limited to, its construction of settlements and the Wall and its transfer of Israeli settlers, constitute grave breaches of international humanitarian law and serious violations of relevant United Nations resolutions. Such actions have also been deemed illegal by the International Court of Justice and are considered to be war crimes under the Rome Statute of the International Criminal Court. In addition to these legal provisions prohibiting such colonization, which Israel is obliged to respect as an occupying Power and as a State Member of the United Nations, it should be recalled that under the Quartet Road Map, Israel was directly called upon to freeze all settlement activities, including so-called "natural growth", an obligation and commitment that Israel continues to blatantly violate.

Recent developments have fully exposed the arbitrary, empty and ill-intentioned pretexts repeatedly used by Israel to justify the illegal actions taken as part of its colonization campaign, which is clearly aimed at the de facto annexation of even more Palestinian land and the entrenchment of its illegitimate occupation of

the Palestinian Territory, including East Jerusalem. The international community must be consistent and firm in rejecting these pretexts, demanding a complete cessation of all illegal settlement activities, and calling for Israel's compliance with all of its legal obligations under international law without exception. Salvaging the prospects for peace and ultimately achieving a just, peaceful settlement are dependent on this. It is because Israel has been permitted to act with impunity for all of these years, behaving as though it were exempt from all rules and norms, that the conflict has been so protracted and exacerbated. Such appeasement and tolerance of breaches and violations of the law must end if we are to turn a new page and revive the peace process towards the speedy achievement of its stated goals. The international community, including the Security Council, has a clear responsibility in this regard, which must be upheld.

This letter is in follow-up to our previous 360 letters regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 10 March 2010 (A/ES-10/480-S/2010/128) constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, acts of State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

I should be grateful if you would arrange to have the text of the present letter distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.